

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 AUSTIN DIVISION

4 LEILA GREEN LITTLE, ET AL) Docket No. A 22-CA-424 RP  
5 )  
6 vs. ) Austin, Texas  
7 )  
8 LLANO COUNTY, ET AL ) May 19, 2022

9 TRANSCRIPT OF TELEPHONE CONFERENCE  
10 BEFORE THE HONORABLE ROBERT L. PITMAN  
11

12 APPEARANCES:

13 For the Plaintiff: Ms. Ellen V. Leonida  
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Proceedings reported by computerized stenography,  
transcript produced by computer-aided transcription.

09:01:01 1 THE COURT: This is Judge Pitman. Thank you all  
09:01:04 2 for joining me for this phone conference this morning.  
09:01:05 3 The main purpose of the call is that I wanted to get  
09:01:07 4 everybody together to talk about scheduling in the case.

09:01:10 5 I did see that yesterday, there was an agreed  
09:01:14 6 motion for extension of time for responsive pleading and  
09:01:19 7 -- but I did want to go ahead and see whether or not you  
09:01:22 8 have had an opportunity to have any discussions about sort  
09:01:27 9 of what the timing going forward would be.

09:01:31 10 But first, Ms. Leonida, or, Mr. Rogers, any  
09:01:35 11 discussion about sort of timing in terms of -- especially  
09:01:38 12 in terms of discovery and setting a hearing?

09:01:43 13 MS. LEONIDA: Your Honor, this is Ellen Leonida.

09:01:45 14 We did have a chance to speak with county counsel  
09:01:47 15 yesterday, and what we've agreed to if it works for the  
09:01:50 16 Court, the county expects to have outside counsel by May  
09:01:53 17 27th. So we had conveyed -- they're agreeing that they  
09:01:58 18 can by June 1st either oppose our motion for expedited  
09:02:01 19 discovery or produce the discovery. And they have agreed  
09:02:04 20 in the interim to gather all of the discovery so that if  
09:02:07 21 they decide to produce, it will be ready immediately and  
09:02:11 22 if not, if the Court orders production; then it will be  
09:02:14 23 ready to go immediately at that point.

09:02:17 24 THE COURT: Right. Mr. Rogers, does that sound  
09:02:20 25 right?

09:02:21 1 MR. ROGERS: That is exactly our agreement, your  
09:02:23 2 Honor.

09:02:23 3 THE COURT: Okay. Great.

09:02:24 4 And then, have you had any thought at this point  
09:02:27 5 as to ballpark when you would want to have this heard?  
09:02:32 6 I'm asking because the summer is getting kind of busy, and  
09:02:35 7 we probably sooner than later would need to identify at  
09:02:40 8 least a potential date to block in which to get this  
09:02:42 9 injunction heard.

09:02:43 10 Any thoughts about that, Ms. Leonida?

09:02:46 11 MS. LEONIDA: Your Honor, we'd like to get a date  
09:02:53 12 as soon as possible. And especially if the calendar is  
09:02:55 13 filling up, we'd like to lock one in today.

09:02:59 14 THE COURT: Okay. Mr. Rogers, do you have any  
09:03:02 15 thought about sort of what --

09:03:06 16 MR. ROGERS: I mean, our preference would be, of  
09:03:08 17 course, to, you know, be able to retain outside counsel  
09:03:12 18 and speak to them about that. I understand the Court is  
09:03:15 19 wanting to set a date. I suppose maybe we could  
09:03:21 20 tentatively agree to a date maybe a little farther out  
09:03:25 21 than plaintiff's counsel would prefer, and then, that  
09:03:27 22 would give us time to get outside counsel on board to give  
09:03:31 23 them appropriate time to prepare a response and get ready  
09:03:35 24 for a hearing injunction.

09:03:36 25 THE COURT: Sure.

09:03:37 1 Ms. Leonida, what would your ideal date be, given  
09:03:40 2 the fact that maybe you're looking at discovery around the  
09:03:44 3 1st of June? Do you have an idea how long it would take  
09:03:48 4 for you to sort of process that and be ready for a  
09:03:51 5 hearing?

09:03:54 6 MS. LEONIDA: Well, if we get the discovery, if  
09:03:57 7 it's actually produced on the 1st of June, I'm hopeful  
09:03:59 8 that we can have the hearing by the end of June. I don't  
09:04:03 9 know if that would be enough time for outside counsel, but  
09:04:07 10 I think that it should be. The issues are pretty simple.

09:04:11 11 THE COURT: My problem is that the second half of  
09:04:15 12 June is not available up to July 4th. And so, we would  
09:04:20 13 either have to do it the week of the 13th, if we could,  
09:04:26 14 which it looks like we probably could, or then, failing  
09:04:33 15 that, then it would be the week of July 4th or the 5th, or  
09:04:36 16 later.

09:04:40 17 MR. ROGERS: Assuming outside counsel's on board,  
09:04:42 18 your Honor, this may not be hugely relevant, but I am  
09:04:45 19 scheduled to begin a jury trial on the 13th that will last  
09:04:49 20 a week. And again, my presence may not be essential by  
09:04:52 21 that date but, you know.

09:04:53 22 THE COURT: Sure. No. That's always good to  
09:04:55 23 know for planning and that might be a little ambitious in  
09:04:58 24 any event. So I would say that would be safer to set it  
09:05:06 25 sometime the week of July the 5th.

09:05:08 1 Ms. Leonida, does that work for you? I know it's  
09:05:12 2 a little beyond what you were hoping for, but not too  
09:05:14 3 much.

09:05:15 4 MS. LEONIDA: That's fine with us, your Honor.  
09:05:17 5 And I'm available any day that week.

09:05:19 6 THE COURT: Okay. Great. Let me take a second  
09:05:23 7 to look at my calendar and get back to you. Okay.

09:05:45 8 Looking at the calendar, actually, I could fit  
09:05:48 9 you in 9:00 on July the 7th. Thursday, July the 7th.

09:05:55 10 Ms. Leonida, does that work for you?

09:05:58 11 MS. LEONIDA: That does, your Honor.

09:05:59 12 THE COURT: Okay. And, Mr. Rogers, I know you're  
09:06:02 13 speaking for an unidentified counsel right now, but I  
09:06:07 14 think that gives us plenty of time for counsel for --

09:06:12 15 MR. ROGERS: I agree.

09:06:13 16 THE COURT: Okay. Super.

09:06:14 17 Well, let's say July 7th, 9:00 a.m., and if you  
09:06:20 18 have any difficulty coming to an agreement with regard to  
09:06:23 19 any discovery issues, just let me know as soon as you know  
09:06:26 20 that so that I can get that done and taken care of sooner  
09:06:32 21 than later so that that doesn't -- that doesn't affect the  
09:06:36 22 dates that we'll -- that we've identified for the hearing.

09:06:40 23 So with that, Ms. Leonida, anything else from  
09:06:43 24 your side?

09:06:45 25 MS. LEONIDA: Nothing else from us. Thank you,

09:06:47 1 your Honor.

09:06:47 2 THE COURT: Okay. Mr. Rogers?

09:06:49 3 MR. ROGERS: Nothing, your Honor. Thank you.

09:06:50 4 THE COURT: Very good. Well, thank you all so  
09:06:52 5 much for calling in and I look forward to seeing you on  
09:06:54 6 the 7th.

09:07:00 7 MR. ROGERS: All right. Thank you, your Honor.  
09:07:01 8 May we be excused?

09:07:02 9 THE COURT: Have a great day.

10 (Proceedings concluded.)

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UNITED STATES DISTRICT COURT )  
WESTERN DISTRICT OF TEXAS )

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*Lily Iva Reznik*

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